

Remarks

This paper is in response to the Office Action mailed on September 7, 2005. Claim 13 is being cancelled and claims 1, 8, and 15 are being amended. In view of the following remarks, Applicant respectfully requests reconsideration and allowance of claims 1-12 and 14-20.

In the Office Action, the drawings are objected to because the reference numerals are not written clearly. Corrected drawings sheets accompany this paper. Accordingly, withdrawal of the objection to the drawings is respectfully requested.

In the Office Action, claims 1-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Livesay (U.S. Pat. No. 4,265,084) in view of Templin et al. (4,271,663). Livesay discloses a metal chain used as a track on heavy equipment. Each link in the chain disclosed in Livesay includes a pair of sidebars having coaxial apertures. A hollow pin extending through the coaxial apertures joins the pair of sidebars and pivotally connect the link to another link. Each sidebar includes an annular receptacle which receives a sealing member that engages a flat surface of an adjacent sidebar. Livesay teaches that the sealing member cooperates with an end cap in preventing egress of lubricant from articulated joints. (See col. 4, lines 18-22 of Livesay)

The Office Action asserts that Livesay fails to disclose a molded chain having first ends coaxial with first barrels such that a respective pin extends through first apertures and a first barrel. Applicant respectfully asserts that Livesay fails to disclose significantly more. In particular, Livesay also does not disclose a pin extending through a barrel to pivotally join adjacent links, a pin sealingly engaging at least one second aperture, or a seal member which inhibits contaminants from passing through a joint between first and second links and onto a pin extending through a barrel joining sidebars.

Templin et al. is cited in the Office Action for disclosing a molded single piece link having a pair of sidebars joined by a barrel. The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the chain of Livesay so that it is made from a moldable material in view of Templin et al. in order to reduce weight, prevent the chain from being corroded and in order to reduce friction and

wear on the pin, to minimize bending from the pin, and to reduce the number of parts during assembling and disassembling. Applicant respectfully disagrees.

Applicant respectfully asserts that the motivation to combine Livesay and Templin et al. suggested in the Office Action is not taught in either reference and the result of impermissible hindsight reconstruction. In particular, nothing in Templin et al. suggests that the chain disclosed therein is made from a moldable material. Accordingly, the combination of Templin et al. and Livesay will not produce a molded link. Moreover, the link disclosed in Livesay forms part of an articulated track chain for use in track assemblies of track type vehicles. Accordingly, even if Templin et al. disclosed a link formed from a moldable material, one skilled in the art would not modify Livesay in view of Templin et al. because the moldable material would be unsuitable for the intended use disclosed in Livesay. Moreover, Templin et al. does not disclose or suggest any features that could be combined with Livesay that reduces weight, prevents the chain from being corroded, reduces friction and wear on the pin, minimizes bending from the pin, or reduces the number of parts during assembling and disassembling.

With respect to claims 1-7 and 15-20, even if Templin et al. disclosed a link formed from a moldable material, one skilled in the art would not modify the link disclosed in Templin et al. to include an annular receptacle surrounding an aperture and receiving a seal, as taught by Livesay. The seal disclosed in Livesay prevents egress of lubricant from an articulated joint. Nothing in Templin et al. suggests a lubricant is used. Accordingly, there is no motivation to incorporate the seal and receptacle disclosed in Livesay with the link disclosed in Templin et al. because there is no need to prevent egress of lubricant. Moreover, even if Livesay and Templin et al. were combined, the improper combination would not result in the invention claimed in the amended claims of the present application.

Claims 1 and 15 are being amended to claim a link chain including a seal member received in a receptacle which seals the joint between first and second links and inhibits contaminants from passing through the joint between the first and second links and onto the pin extending through the barrel. Nothing in either Livesay or Templin et al. suggests a structure which inhibits contaminants from passing through a joint onto a pin extending through a barrel joining sidebars. Claims 2-7 and 16-20 depend from one of claims 1 and 15.

Accordingly, Applicant respectfully asserts that claims 1-7 and 15-20 are allowable over the cited references.

With respect to claim 8, neither Livesay nor Templin et al. disclose a link chain including a pin sealingly engaging an aperture, as claimed in claim 13. Claim 8 is being amended to include the subject matter of claim 13, and claim 13 is being cancelled. Claims 9-12 and 14 depend from claim 8. Accordingly, Applicant respectfully asserts that claims 8-12, and 14 are allowable over the cited references

Claims 1, 8, and 15 are being amended to more clearly claim the invention. Claim 13 is being cancelled. Claims 2-7, 8-12, 14, and 16-20 depend from one of claims 1, 8, and 15, which Applicant believes are allowable. Accordingly, withdrawal of the rejection of claims 1-7 and 15-20 under 35 U.S.C. §103(a) is respectfully requested.

In view of the above remarks, cancellation of claim 13, and amendment to claims 1, 8, and 15, Applicant respectfully requests reconsideration and allowance of claims 1-12 and 14-20. No fees for filing this response are believed to be due. However, if such fees are due, including extension fees, the Commissioner is hereby authorized to charge them to deposit account no. 17-0055.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. G. Radler', written over a horizontal line.

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